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McDERMOTT, WILL & EMERY

November 6, 2002

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

**Re: Notice of *Ex Parte* Meeting; Improving Public Safety Communications
in the 800 MHz Band; Consolidating the 900 MHz Industrial/Land
Transportation and Business Pool Channels; WT Docket No. 02-55**

Dear Ms. Dortch:

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this is to notify you that Christine Gill and Jeffrey Sheldon of McDermott, Will & Emery, representing Cinergy Corporation, Consumers Energy Company, Entergy Corporation, and SCANA Corporation, met today with Sam Feder, of Commissioner Martin's office, to discuss the issues raised by these companies in their respective comments, reply comments and supplemental comments in the above-referenced proceeding.

We discussed the concerns of these utility companies regarding mandatory realignment of the 800 MHz band, and the deficiencies in the so-called "Consensus Plan" should the Commission ultimately decide that rebanding is justified by the cost and disruption that would be involved. In particular, we stressed the need for an orderly transition process that ensures one-for-one channel replacement, comparable service, and protection of incumbent licensees during relocation; full cost-reimbursement for all licensees; no prohibitions on deployment of advanced technologies; a workable plan for the Canadian/Mexican border regions; and interference protection for all incumbent licensees, including those in the so-called "guardband."

In accordance with the Commission's rules, one copy of this *ex parte* notice is being filed electronically for inclusion in the record of the above-referenced proceeding.

Very truly yours,

/s/ Christine M. Gill

Christine M. Gill

cc: Sam Feder